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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,917	09/05/2003	Brian Axe	16113-768001 / GP-143-00-	8377
26192 7590 05/23/2008 FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER BROWN, ALVIN L	
			ART UNIT 3622	PAPER NUMBER
			MAIL DATE 05/23/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/656,917	<b>Applicant(s)</b> AXE ET AL.	
	<b>Examiner</b> ALVIN L. BROWN	<b>Art Unit</b> 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-102 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-102 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1. 5-5-2006; 2. 3-6-2007; 3. 9-26-2007.</u>                   | 6) <input type="checkbox"/> Other: _____                          |



### DETAILED ACTION

1. The following is a non-final, First Office Action on the merits. Claims 1-102 are pending.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-28, 30-53, 55-79, 81-102 are rejected under 35 U.S.C. 102(e) as being anticipated by Boylan, III et al. (US 6,799,326 B2).

**As per claims 1, 27, 52 and 78**, Boylan discloses a method for blocking advertisements, the method comprising:

a) accepting at least one category of ads to be blocked Figure 18; Column 11, lines 30-45);

b) accepting at least one ad, each ad being associated with at least one category (Figure 21; column 11, lines 46-55; column 12, line 59 – column 13, line 9); and

c) preventing an ad from being served if at least a predetermined number of it's at least one category match any of the at least one category of ads to be blocked (Figure 18).

Boylan further discloses in reference to claim 27:

b) adjusting a weight of each of the at least one category in a comparison function (column 12, lines 4-15);

d) accepting a document being associated with at least category (column 12, lines 4-15); and

e) comparing each of the at least one ad with the document using the comparison function (column 12, lines 4-15).

**As per claims 2, 28, and 79**, Boylan further discloses the category is a semantic cluster (column 11, line 55 - column 12, line 3).

**As per claims 4, 30, 55 and 81**, Boylan further discloses the category is a concept (column 11, lines 30-45).

**As per claims 5 and 56**, Boylan further discloses the act of preventing an ad from being served includes removing the ad from a set of eligible ads (Figure 18, #132).

**As per claims 6 and 57**, Boylan further discloses the predetermined number is one (column 11, lines 30-45).

**As per claims 7, 18-20, 32, 43-45, 58, 69, 70-71, 83, 94-96**, Boylan further discloses at least one of the at least one category is a product category (column 11, lines 30-45).

**As per claims 8, 21-22, 33, 46-47, 59, 72-73, 84, 97-98**, Boylan further discloses at least one of the at least one category is a service category (column 11, lines 30-45).

**As per claims 9, 23, 34, 48, 60, 74, 85, 99**, Boylan further discloses at least one category of ads to be blocked is accepted from a list associated with at least one document (column 11, line 55 – Column 12, line 3).

**As per claims 10, 24, 35, 49, 61, 75, 86, 100**, Boylan further discloses at least one document is at least one Web page (column 6, lines 53-67).

**As per claims 11, 25, 36, 50, 62, 76, 87, 101**, Boylan further discloses at least one document include Web pages of a Website (column 6, lines 53-67).

**As per claims 12, 26, 37, 51, 63, 77, 88, 102**, Boylan further discloses at least one document is at least one Web page associated with a path name (column 6, lines 53-67).

**As per claims 13, 38, 64, 89**, Boylan further discloses:

d) accepting at least one term; and e) preventing an ad from being served if at least a part of its ad information includes at least a second predetermined number of any of the at least one term (column 11, lines 30-45).

**As per claims 14, 39, 65, 90**, Boylan further discloses at least a part of the ad information is content of a creative of the ad (column 7, line 65 - column 8, line 18).

**As per claims 15, 40, 66, 91**, Boylan further discloses at least a part of the ad information is keyword targeting terms associated with the ad (column 11, lines 30 – 45).

**As per claims 16, 41, 67, 92**, Boylan further discloses at least a part of the ad information is content of a document linked to by the ad (column 11, lines 30 – 45).

**As per claims 17, 42, 68, 93**, Boylan further discloses the second predetermined number is one (column 11, lines 30 – 45).

**As per claims 31 and 82**, Boylan further discloses the act of adjusting a weight of each of the at least one category in a comparison function includes setting the weight to zero (column 12, lines 4-15).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 3, 29 54, 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boylan, III et al. (US 6,799,326 B2) in view of Bangalore, Srinivas and Rambow, Owen, “Exploiting a Probabilistic Hierarchical Model for Generation. In: Proceedings of the 18th Conference on Computational Linguistics (COLING'2000), July 31 - August 4 2000.**

**As per claims 3, 29, 54 and 80**, Boylan discloses the claimed invention as in claims 1, 27, 52 and 78. Boylan further discloses a method of blocking advertisements by analyzing keyword in the text of the advertisement (column 11, line 61 – column 12, line 3).

Boylan does not explicitly disclose the category is a probabilistic hierarchical inferential learner cluster.

However, Bangalore teaches probabilistic hierarchical inferential learner cluster (pages 42 – 48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Bangalore's model of examining a set of word as concepts in a query to Boylan's method of blocking advertisements. One would be motivated to do this in order to provide users with content specific advertisements.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN L. BROWN whose telephone number is (571)270-5109. The examiner can normally be reached on Monday - Thursday 7:30 AM to 5:00 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on 571 272 6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 3622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ALB

/Arthur Duran/  
Primary Examiner, Art Unit 3622  
4/23/2008